

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
v.)
)
JOSHUA R. JONES,)
)
Defendant.)

No. 3:24-CR-96-TAV-JEM

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or recommendation as appropriate. This case is before the Court on Defendant Joshua Jones' Unopposed Motion to Continue Motion Deadline, Plea Deadline, and Trial Date [Doc. 10], filed on September 20, 2024.

Defendant requests that the Court continue the motion deadline, plea deadline, and trial date by ninety days [Doc. 10]. In support of his motion, Defendant contends that he needs additional time to research, investigate, and determine whether he needs to file pretrial motions [*Id.* ¶ 2]. He states that discovery contains numerous multimedia items [*Id.*]. Defendant is housed in Laurel County, which requires additional time for his counsel to travel to consult with him and review discovery [*Id.*]. Defendant understands that the time between filing this motion and a rescheduled trial date is excludable for speedy trial purposes [*Id.* ¶ 4]. He represents that counsel for the Government does not oppose the request for a continuance [*Id.* ¶ 5].

Based upon the information in Defendant's motion and because the Government does not oppose the continuance, the Court finds the ends of justice served by granting a continuance outweigh the interests of Defendant and the public in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). In making this determination, the Court has considered the factors set forth in 18 U.S.C.

§ 3161(h)(7)(B). Specifically, the Court concludes that failing to grant a continuance would both result in a miscarriage of justice and deny counsel for Defendant the reasonable time necessary for effective preparation, accounting for the exercise of due diligence. *See id.* § 3161(h)(7)(B)(i)–(iv). Defense counsel needs more time to time to review and discuss discovery, investigate, and determine if pretrial motions are appropriate. The Court finds that all of this cannot occur before the November 12, 2024 trial date.

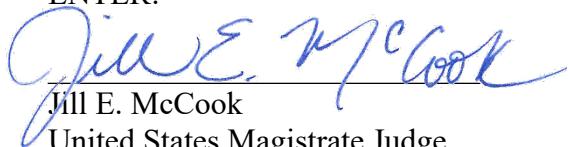
The Court therefore **GRANTS** Defendant Joshua Jones' Unopposed Motion to Continue Motion Deadline, Plea Deadline, and Trial Date [**Doc. 10**]. The trial of this case is reset to **February 25, 2025**. A new, comprehensive trial schedule is included below. Because the Court has found that the ends of justice served by granting a continuance outweigh the interests of Defendant and the public in a speedy trial, all the time between the filing of the motion on September 20, 2024, and the new trial date is fully excludable time under the Speedy Trial Act. *See* 18 U.S.C. § 3161(h)(1)(D), (h)(7)(A)–(B).

Accordingly, it is **ORDERED** as follows:

- (1) Defendant Joshua Jones' Unopposed Motion to Continue Motion Deadline, Plea Deadline, and Trial Date [**Doc. 10**] is **GRANTED**;
- (2) the trial of this matter is reset to commence on **February 25, 2025, at 9:00 a.m.**, before the Honorable Thomas A. Varlan, United States District Judge;
- (3) all time between the filing of the motion on **September 20, 2024**, and the new trial date of **February 25, 2025**, is fully excludable time under the Speedy Trial Act for the reasons set forth herein;
- (4) the deadline for filing pretrial motions is extended to **October 25, 2024**, and responses to motions are due on or before **November 8, 2024**;
- (5) the deadline for filing a plea agreement in the record and providing reciprocal discovery is **January 27, 2025**;

- (6) the deadline for filing motions *in limine* is **February 10, 2025**;
- (7) the parties are to appear before the undersigned for a final pretrial conference on **February 11, 2025, at 1:30 p.m.**; and
- (8) requests for special jury instructions with appropriate citations to authority pursuant to Local Rule 7.4 shall be filed on or before **February 14, 2025**.

IT IS SO ORDERED.

ENTER:

Jill E. McCook
United States Magistrate Judge